

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:
	:
FAIRFIELD SENTRY LIMITED, <i>et al.</i> ,	:
	:
Debtors in Foreign Proceedings.	:
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FAIRFIELD SENTRY LIMITED (IN LIQUIDATION),	:
	:
Plaintiffs,	:
	:
- against -	:
	:
THEODOOR GGC AMSTERDAM, <i>et al.</i> ,	:
	:
Defendants.	:
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Chapter 15
Case No. 10-13164 (SMB)
Jointly Administered

Adv. Proc. No. 10-03496 (SMB)

Administratively Consolidated

**ORDER REGARDING SUPPLEMENTATION OF
SUBMISSIONS RELATING TO BANKRUPTCY CODE § 561(d)**

Following the oral argument in connection with the plaintiffs' motions for leave to amend their complaints and the defendants' motions to dismiss (the "Motions"), the Court determined that Bankruptcy Code § 561(d) originated as section 8(m) of the Financial Contract Netting Improvement Act of 1998 (H.R. 4393). The bill was accompanied by a substantial House Report. The parties are invited to simultaneously submit supplemental memoranda within two weeks of the date of this order addressing the meaning of section 561(d) in light of the legislative history accompanying the 1998 Netting bill and any subsequent similar bills, as well as any government reports and other, secondary authorities.

So ordered.

Dated: New York, New York
February 1, 2018

/s/ Stuart M. Bernstein
STUART M. BERNSTEIN
United States Bankruptcy Judge